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RB3/15/02

ORIGINAL
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DIANNA LYNN HARRIS,**Plaintiff****v.**

PENNSYLVANIA BOARD OF
PROBATION AND PAROLE,
et al.,

Defendants :**No. 1:CV-01-0270****(Judge Kane)****FILED**
HARRISBURG

MAR 14 2002

MARY E. DIANDREA, CLERK
Per 5/8
DEPUTY CLERK

RESPONSE TO MOTION FOR LEAVE TO WITHDRAW AS COUNSEL
FOR PLAINTIFF AND TO EXTEND THE DISCOVERY DEADLINE

On or about March 12, 2002, counsel for plaintiff filed a motion to withdraw as counsel and to extend the deadlines as set by the Court. This is defendants' response to that motion.

While defendants do not oppose the motion, they would like the Court to require plaintiff's counsel to provide responses to discovery requests that were served on December 12, 2001, the responses to which were due on January 14, 2002, before being permitted to withdraw. Responses to these discovery requests are at present two months overdue and the failure to provide responses has unnecessarily delayed the progress of the case as defendants require the responses before deposing plaintiff and wish to depose plaintiff as the first witness.

Additionally, defendants request that plaintiff be provided with a thirty day

timeframe during which she must obtain counsel or elect to proceed *pro se*. If defendants are forced to wait to conduct depositions for an open-ended timeframe during which plaintiff is seeking counsel, in all likelihood, the parties will once again be up against the discovery deadline without having completed necessary discovery.

WHEREFORE, the Court should grant the motion to withdraw as counsel for plaintiff and to the extend discovery deadlines, but should require counsel for plaintiff, with plaintiff's assistance, to provide full and complete responses to the discovery requests served by defendants on December 12, 2002, before withdrawing and should require plaintiff to obtain counsel or elect to proceed *pro se* in this matter withing thirty days from the date the Court grants the motion.

Respectfully submitted,

D. MICHAEL FISHER
Attorney General

By: Lisa W. Basial
LISA W. BASIAL
Deputy Attorney General
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Dated: March 14, 2002


**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DIANNA LYNN HARRIS,	:	
Plaintiff	:	
	:	No. 1:CV-01-0270
v.	:	(Judge Kane)
	:	
PENNSYLVANIA BOARD OF	:	
PROBATION AND PAROLE,	:	
et al.,	:	
Defendants :	:	

CERTIFICATE OF SERVICE

I, **LISA W. BASIAL**, Deputy Attorney General for the Commonwealth of Pennsylvania, hereby certify that on **March 14, 2002**, I served a true and correct copy of the foregoing **Response to Motion to Withdraw as Counsel for Plaintiff and to Extend the Discovery Deadline** by causing it to be deposited in the United States Mail, first-class postage prepaid to the following:

**Eugene Mattioni, Esquire
Joseph Bouvier, Esquire
Mattioni, LTD.
399 Market Street, 2nd Floor
Philadelphia, PA 19106**



LISA W. BASIAL
Deputy Attorney General